UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,657	01/21/2000	Raymond Anthony Joao	JB008	6109

7590 08/10/2006

Raymond A Joao Esq
122 Bellevue Place
Yonkers, NY 10703

EXAMINER	
CHENCINSKI, SIEGFRIED E	
ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/489,657	JOAO ET AL.	
	Examiner	Art Unit	
	Siegfried E. Chencinski	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-97* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-97* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on July 1, 2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 6,047,270 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 21-26, 28-31, 33, 35, 36-42, 44-47, 49, 51-56, 60-61, 62-69, 71-75, 79-8081-83, 84-85, 86-88, 90 & 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (US Patent 5,870,724, hereafter Lawlor).

Re. Claims 21 & 37, Lawlor discloses a transaction security apparatus, comprising:

- a memory device for storing financial account transaction information (Fig's 1 & 1A; Col. 7, ll. 1-8; col. 13, ll. 6-8; Col. 18, l. 59 – Col. 20, l. 3);
- a brokerage account (Col. 5, ll. 53-56);
- Electronic money (Col. 6, ll. 62-64; Col. 7, ll. 1-4; Col. 11, ll. 41-45. Electronic banking implies electronic money accounts.);
- wherein the limitation or restriction is transmitted to a receiver from a communication device associated with an individual account holder (Col. 19, l. 63 – Col. 20, l. 3. This authorization process implicitly stores transaction information in a memory device, including involved in the authorization process. The authorization steps implicitly involve limitations and/or restrictions involving who can participate in transactions, what passwords and related information must be provided when prompted by the system, etc.), and

can participate in transactions, what passwords and related information must be provided when prompted by the system, etc.), and

- a processing device for processing a transaction on an account holder's account, wherein the processing device utilizes the limitation or restriction automatically stored in the memory device in processing the transaction, and further wherein the processing device generates a signal containing information for allowing or disallowing the transaction (Processor - Col. 19, ll. 1-4, 8, 23-26; allowing/disallowing - Col. 20, ll. 1-3).

Lawlor does not explicitly and exactly disclose:

- a memory device for storing a limitation or restriction on a use of a brokerage account, wherein the limitation or restriction is transmitted to a receiver from a communication device associated with an individual account holder, and wherein the limitation or restriction is automatically received by the receiver, and further wherein the limitation or restriction is automatically stored in the memory device; and
- a processing device for processing a transaction on the brokerage account, wherein the processing device utilizes the limitation or restriction automatically stored in the memory device in processing the transaction, and further wherein the processing device generates a signal containing information for allowing or disallowing the transaction.

The examiner takes official Notice that an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with his own knowledge of the art and well known practices in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts, other financial services, service providers and account holders using the financial service providers' services through computer automated systems and electronic network enabled communications transmissions, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Re. Claims 22 & 38, Lawlor discloses an apparatus comprising a transmitter for transmitting a second signal to a communication device associated with the individual account holder, wherein the communication device receives the second signal, and further wherein the second signal contains information regarding the transaction (transmitter - Col. 19, l. 46 – Col. 20, l. 44; transactions - Col. 1, ll. 15-16; communication – Col. 1, ll. 20-21).

Re. Claims 23 & 39, Lawlor discloses an apparatus wherein the communication device which receives the second signal is at least one of a telephone communications set (Col. 12, l. 48).

Re. Claims 24 & 40, Lawlor discloses an apparatus wherein the limitation or restriction is received from the communication device in real-time (Col. 10, l. 49).

Re. Claims 25, 26, 41 & 42, Lawlor discloses an apparatus wherein the transaction involves the services of a transaction type such as electronic funds transfer and/or securities brokerage service involving such transactions as a securities trade (Col. 5, ll. 52-56; Col. 7, ll. 4-8; home banking suggests services being performed for an individual).

Re. Claims 28 & 44, Lawlor discloses an apparatus wherein the limitation or restriction is a limitation or restriction involving at least one of an individual authorized to perform a transaction on an account (Col. 19, l. 61 – Col. 20, l. 3) which includes transactions involving brokerage account services (Col. 5, ll. 53-56).

Re. Claims 29 & 45, Lawlor implicitly discloses an apparatus comprising a receiver for receiving a third signal, wherein the third signal is transmitted to the receiver from the communication device which receives the second signal, and further wherein the third signal contains information for allowing or disallowing the transaction. This is based on the fact that this represents the customer/account holder's response through his communications device to the signal which he received through his receiving apparatus, as per claim 22.

Re. Claims 30 & 46, Lawlor discloses an apparatus wherein the apparatus is utilized on the Internet (Col. 20, l. 53).

Re. Claims 31 & 47, Lawlor does not explicitly disclose an apparatus wherein the transmitter transmits the second signal to a plurality of communication devices which receive the second signal, wherein the plurality of communication devices which receive the second signal are associated with the individual account holder, and further wherein the transmitter transmits the second signal to the plurality of communication devices which receive the second signal at least one of simultaneously and sequentially. The examiner takes official Notice that it was been well known that online electronic information providers provide simultaneous information transmissions to, for example, a customer's e-mail address and to the customer's wireless device. Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with his own knowledge of the art and well known practices in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts and other financial services, service providers and account holders using the financial service providers' services through computer automated systems and electronic network enabled communications transmissions, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Re. Claims 33 & 49, Lawlor implicitly discloses an apparatus wherein the processing device processes the third signal and determines whether the transaction is allowed or disallowed (Col. 19, l. 63 – Col. 20, l. 3). The authentication routine disclosed by Lawlor has this as one of its implicit purposes.

Re. Claims 35 & 51, Lawlor implicitly discloses an apparatus wherein the communication device from which the limitation or restriction is received is a telephone (Col. 12, l. 48).

Re. Claims 36 & 52, Lawlor implicitly discloses an apparatus wherein the limitation or restriction includes information regarding an amount of a transaction (Col. 20, ll. 52-55). A message asking the user to confirm the amount requested in a transaction has been a standard step in electronic banking from the beginning in approximately the 1970's.

Re. Claims 53, Lawlor implicitly discloses an apparatus wherein the electronic money account is used in connection with electronic money (Electronic payments involve electronic money – Col. 11, ll. 41-43).

Re. Claims 54 & 73, Lawlor discloses a transaction security apparatus, comprising:

- a brokerage account (Col. 5, ll. 53-56; Col. 10, l. 61);
- Electronic money (Col. 6, ll. 62-64; Col. 7, ll. 1-4; Col. 11, ll. 41-45. Electronic banking implies electronic money accounts.);
- a processing device for processing information regarding financial services transactions such as for home banking and brokerage account holders (Col. 5, ll. 53-56);
- information input devices, receivers, processing devices, transmitters, receivers and electronic signals containing information regarding transactions involving banking and brokerage transactions (obvious and implicit; Col. 8, l. 61 – Col. 9, l. 35);
- automatic operations are implicit and obvious (Col. 11, ll. 2-3Col. 8, ll. 7-8);
- signals are transmitted to the communication device in real-time (Col. 10, l. 49);
- providing information to the individual account holder regarding the transactions (Col. 10, ll. 20-28).

Lawlor does not explicitly and exactly disclose:

- a processing device for processing information regarding a transaction on a brokerage account, wherein the information is input via an input device or automatically received by a receiver, wherein the processing device is capable of allowing or disallowing the transaction on the brokerage account, and further wherein the processing device generates a signal containing information regarding the transaction on the brokerage account; and
- a transmitter for transmitting the signal to a communication device associated with an individual account holder, wherein the signal is transmitted to the communication device in real-time, and further wherein the communication

device provides information to the individual account holder regarding the transaction on the brokerage account.

The examiner takes official Notice that an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with his own knowledge of the art in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts and other financial services, providers and account holders using the financial service providers' services through computer automated systems and electronic network enabled communications transmissions, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Re. Claims 55 & 74, Lawlor discloses an apparatus comprising a transmitter for transmitting a second signal to a communication device associated with the individual account holder, wherein the communication device receives the second signal, and further wherein the second signal contains information regarding the transaction (transmitter - Col. 19, l. 46 – Col. 20, l. 44; transactions - Col. 1, ll. 15-16; communication – Col. 1, ll. 20-21).

Re. Claims 56 & 75, Lawlor discloses an apparatus comprising:

a receiver for receiving a second signal from the communication device, wherein the second signal contains information for allowing or disallowing the transaction on the brokerage account (transmitter - Col. 19, l. 46 – Col. 20, l. 44; transactions - Col. 1, ll. 15-16; communication – Col. 1, ll. 20-21; brokerage account – Col. 5, ll. 54-55).

Re. Claims 60, 61, 79 & 80, Lawlor discloses an apparatus comprising:

a display device for displaying information regarding the transaction on the brokerage account (Col. 12, l. 47).

a printer for outputting information regarding the transaction on the brokerage account (Col. 19, l. 5; Col. 47, l. 34).

Re. Claims 62 & 81, Lawlor implicitly discloses an apparatus processes information regarding a deposit to the brokerage or electronic money account (Col. 5, ll. 52-56).

Re. Claims 63 & 82, Lawlor discloses an apparatus wherein the apparatus is utilized on the Internet (Col. 20, l. 53).

Re. Claims 64 & 83, Lawlor does not explicitly disclose an apparatus wherein the transmitter transmits the second signal to a plurality of communication devices which receive the second signal, wherein the plurality of communication devices which receive the second signal are associated with the individual account holder, and further wherein the transmitter transmits the second signal to the plurality of communication devices which receive the second signal at least one of simultaneously and sequentially. The examiner takes official Notice that it has been well known that online electronic information providers provide simultaneous information transmissions to, for example, a customer's e-mail address and to the customer's wireless device. Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with Official Notice in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts and other financial services, providers and account holders wherein the transmitter transmits the second signal to a plurality of communication devices which receive the second signal, wherein the plurality of communication devices which receive the second signal are associated with the individual account holder, and further wherein the transmitter transmits the second signal to the plurality of communication devices which receive the second signal at least one of simultaneously and sequentially, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Re. Claims 65, 66, 84 & 85, Lawlor suggests an apparatus wherein the transaction on the brokerage account is a deposit transaction or a withdrawal transaction (Lawlor discloses integration of bamking account services and brokerage services (Col. 5, ll. 52-56). As such, Deposits and withdrawal transaction were well known in both of these financial services, especially in banking services. This made deposit and withdrawal transactions implicitly suggested in Lawlor to the ordinary practitioner of the art at the time of Applicant's invention.

Re. Claims 67 & 86, Lawlor discloses an apparatus wherein the transaction involves the services of a transaction type such as electronic funds transfer and/or securities

brokerage service involving such transactions as a securities trade (Col. 5, ll. 52-56; Col. 7, ll. 4-8; home banking suggests services being performed for an individual).

Re. Claims 68 & 87, Lawlor implicitly discloses an apparatus wherein the processing device processes the third signal and determines whether the transaction is allowed or disallowed (Col. 19, l. 63 – Col. 20, l. 3). The authentication routine disclosed by Lawlor has this as one of its implicit security purposes, functions and steps.

Re. Claims 69 & 88, Lawlor implicitly discloses a processing device which processes the second signal and determines whether the transaction is allowed or disallowed, and further wherein the processing device generates a third signal containing information for at least one of allowing the transaction, disallowing the transaction, and canceling the transaction. (Col. 19, l. 63 – Col. 20, l. 3). The authentication routine disclosed by Lawlor has this as one of its implicit security purposes, functions and steps.

Re. Claims 71 & 90, Lawlor implicitly discloses a processing device which generates a periodic transaction record showing transactions on the brokerage account for a pre-determined time period, wherein the periodic transaction record is generated automatically, and further wherein the transmitter transmits the periodic transaction record to the communication device (See the rejections of independent claims 21, 37, 54 and 73 above). Lawlor implicitly discloses the automatic periodic generation of transaction records for banking and brokerage services to individuals. Such periodic transaction records were widely known to be automatically produced on a monthly basis for individual account holders at the time of Applicant's invention. The above rejection statements also made it obvious at the time of Applicant's invention that such periodic statements or reports were available through electronic transmission to account holders' communications devices for account holders who were making use of such an electronic communications feature for a bank and/or brokerage account service relationship.

Re. Claims 72 & 91, Lawlor discloses an apparatus wherein the transaction involves the services of a transaction type such as electronic funds transfer and/or securities brokerage service involving such transactions as a securities trade (Col. 5, ll. 52-56; Col. 7, ll. 4-8; home banking suggests services being performed for an individual).

3. Claims 27, 43, 57-59 & 76-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor as applied to claims 21, 37, 54 and 73 above, and further in view of Alldredge (US Patent 4,910,676) and Deavers (US Patent 6,044,352).

Re. Claims 27, 43, 57-59 & 76-78, Lawlor does not explicitly disclose an apparatus comprising:

means for counting a number of unauthorized transactions which occur on the brokerage account; and

means for at least one of canceling the transaction and de-activating the brokerage account.

wherein the processing device determines whether a hold is placed on the brokerage account for prohibiting a withdrawal from the brokerage account.

However, Alldredge discloses the identification and cancellation of transactions in a brokerage account (Col. 9, 51-53).

Alldredge also discloses putting a hold on a pending transaction in a brokerage account (Col. 9, ll. 51-53).

Deavers discloses the closing of an account on the basis of predetermined criteria having been met (Col. 13, ll. 28-33).

The examiner takes Official Notice that de-activation of accounts due to the discovery of unauthorized transactions was widely known at the time of Applicant's invention as a result of the prolific distribution and use of credit cards by a large percent of the US population. It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to have used a similar system routine to identify other types of unauthorized transactions and use the obvious counting routines computer software is well known to perform in order to count the number of such unauthorized transactions over a designated time period, and then use software routines to cancel an unauthorized transaction and deactivate the brokerage account.

Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with those of Alldredge, Deavers, his own knowledge of the art and well known practices in order to provide a

transaction security apparatus for brokerage account holder services, electronic money accounts, other financial services, service providers and account holders using the financial service providers' services through computer automated systems and electronic network enabled communications transmissions, motivated by the desire to provide a financial management system that provides protection against loss or theft of an account holder's assets placed into the system (Alldredge, Col. 2, ll. 31-33).

4. **Claims 32, 34, 48, 50, 70 & 89 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Lawlor as applied to claims 21, 37, 54 and 73 above, and further in view of Melchione et al. (US Patent 5,966,695, hereafter Melchione).

Re. Claims 32 & 48, Lawlor does not explicitly disclose an apparatus further comprising a transmitter for transmitting an electronic mail message to a network computer associated with the individual account holder, wherein the electronic mail message contains information regarding the transaction.

However, Melchione discloses a transmitter for transmitting an electronic mail message to a network computer associated with the individual account holder, wherein the electronic mail message contains information regarding the transaction (Col. 4, ll. 15-21; fig. 2, 12).

Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor with those of Melchione in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts, other financial services, service providers and account holders using the financial service providers' services through computer automated systems and electronic network enabled communications transmissions which include electronic mail messages, motivated by the desire to maximize customer satisfaction and profit the financial institution (Melchione, Col. 5, ll. 19-21).

Re. Claims 34 & 50, Lawlor does not explicitly disclose an apparatus comprising:

a transmitter for transmitting a second signal to at least one of a communication device which receives the second signal, a computer, a radio, a car

radio, and a television, wherein the second signal contains information regarding the transaction,

and further wherein the normal operation of the at least one of a communication device which receives the second signal, a computer, a radio, a car radio, and a television, is interrupted to convey the information to the individual account holder. However, Melchione discloses a transmitter for transmitting a second signal to a computer, wherein the second signal contains information regarding the transaction, and further wherein the normal operation of the computer is interrupted to convey the information to the individual account holder (Col. 4, ll. 15-21; fig. 2, 12). Many if not all personal computers in use at the time of Applicant's invention were programmed to give an aural alert sound through its built in speakers when a new message is received in the electronic mail software system so that the user of the PC has the opportunity to immediately check for the content of the message. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Lawlor with those of Melchione and the practitioner's own knowledge in order to establish an apparatus for making transmissions of transaction information using computers between a financial services provider and a customer/account holder, motivated by the desire to maximize customer satisfaction and profit the financial institution (Melchione, Col. 5, ll. 19-21).

Re. Claims 70 & 89, Lawlor does not explicitly disclose an apparatus comprising:

a transmitter for transmitting a second signal to at least one of a communication device which receives the second signal, a computer, a radio, a car radio, and a television, wherein the second signal contains information regarding the transaction,

and further wherein the normal operation of the at least one of a communication device which receives the second signal, a computer, a radio, a car radio, and a television, is interrupted to convey the information to the individual account holder. However, Melchione discloses a transmitter for transmitting a second signal to a computer, wherein the second signal contains information regarding the transaction,

and further wherein the normal operation of the computer is interrupted to convey the information to the individual account holder (Col. 4, ll. 15-21; fig. 2, 12). Many if not all personal computers in use at the time of Applicant's invention were programmed to give an aural alert sound through its built in speakers when a new message is received in the electronic mail software system so that the user of the PC has the opportunity to immediately check for the content of the message. Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Lawlor with those of Melchione and Official Notice in order to establish an apparatus for making transmissions of transaction information using computers between a financial services provider and a customer/account holder, motivated by the desire to maximize customer satisfaction and profit the financial institution (Melchione, Col. 5, ll. 19-21).

5. Claims 92-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor in view of Grant et al. (US Patent 4,694,397, hereafter Grant) and Atkins (US Patent 4,953,085).

Re. Claims 92 & 95, Lawlor discloses a transaction security apparatus, comprising:

- a brokerage account (Col. 5, ll. 53-56; Col. 10, l. 61);
- Electronic banking (Col. 6, ll. 62-64; Col. 7, ll. 1-4; Col. 11, ll. 41-45. Electronic banking implies electronic money accounts.);
- A telephone communications device (Col. 12, l. 48);
- Real time transmissions to the receiver (Col. 10, ll. 48-49);

Lawlor does not explicitly and exactly disclose:

- a receiver, wherein the receiver receives a first signal, wherein the first signal is transmitted from a first processing device, and further wherein the first signal is transmitted to the receiver in real-time, wherein the first processing device processes information regarding a transaction occurring on a brokerage account, and further wherein the first signal contains information regarding the transaction occurring on the brokerage account; and

- a second processing device, wherein the second processing device processes information contained in the first signal and generates a second signal, wherein the second signal provides information regarding the transaction on the brokerage account to the individual account holder,
- wherein the apparatus is at least one of a beeper, a pager, a telephone, a two-way pager, a reply pager, a home computer, a personal computer, a personal communication device, a personal communication services device, a television, an interactive television, a digital television, a personal digital assistant, a display telephone, a video telephone, a watch, a cellular telephone, a wireless telephone, a mobile telephone, a display cellular telephone, and a facsimile machine.

However, Grant discloses transaction processing in a "Banking/Brokerage Computer Interface System" (Title). Further, it was well known at the time of Applicant's invention that signals are fundamental to electronic devices and in the transmission and exchange of electronic messages, and that this is equally fundamental in electronic computer operations. The examiner takes Official Notice that processing devices were fundamental to computer apparatus and in computer communications at the time of Applicant's invention, and that a processing device directs the sending of a transmission and that a receiver apparatus receives such a signal at the destination apparatus. The examiner also takes Official Notice that it would have been similarly obvious to an ordinary practitioner of the art at the time of Applicant's invention that a first processor would originate a signal when initiating a communication regarding an electronic transaction for a brokerage account or an electronic money account. Atkins discloses electronically transmitted communications involving an account holder/client and a financial institution where the account holder sends and receives notifications of transaction information on their personal computer or their telephone as representative devices. An ordinary practitioner of the art at the time of Applicant's invention would have seen it obvious from Lawlor's disclosures to have designed a transaction security apparatus which provides secure transaction communications between brokerage service providers and their account holder clients and between

electronic money account holders and their clients. Therefore, an ordinary practitioner of the art at the time of Applicant's invention would have seen it as obvious to combine the disclosures of Lawlor, Grant and Atkins and Official Notice in order to provide a transaction security apparatus for brokerage account holder services, electronic money accounts and other financial services, providers and account holders using the financial service providers' services through computer automated systems, electronic apparatus such as processors, receivers and electronic network enabled communications transmissions, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Re. Claims 93 & 96, Lawlor discloses an apparatus comprising a display device, wherein the display device displays information contained in the second signal (Col. 12, ll. 46-47).

Re. Claims 94 & 97, Lawlor does not explicitly disclose an apparatus comprising a wireless device.

The examiner takes Official Notice that wireless devices such as cellular telephones were already established as ubiquitous electronic communications devices for the general public at the time of Applicant's invention. They were already in widespread use for receiving transactional notifications by individuals in business and for receiving transactional information and alerts by investors, especially to receive market and trading information from securities brokerage service providers. An ordinary practitioner of the art at the time of Applicant's invention would have known to make use of such devices in order to establish systems and apparatus for real time communications electronic banking and securities trading and brokerage services, motivated by the desire to enable distributed financial services to remote locations via users' remote data terminals (Lawlor, Col. 1, ll. 13-17).

Response to Arguments

6. Applicant's arguments dated August 21, 2003 with respect to new claims 21-97 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is (571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on (571) 272-6799.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231

or (571*)273-8300* [Official communications; including After Final communications labeled "Box AF"]

(571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

SEC

August 3, 2006

HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
ART UNIT 3600